

10/530938

JC07 Rec'd PCT/PTO 08 APR 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Dkt. No: 5838-06602

## Inventor(s):

Lorenzo Menicanti

Mitta Suresh

Jill Giannoble

Alan Bachman

Ernie Corrao

Title: DEVICES AND METHODS  
FOR MITRAL VALVE  
ANNULUS REFORMATION

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§CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV484596651US  
DATE OF DEPOSIT: 4/8/05

I hereby certify that this paper (along with any paper and/or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
Alexandria, VA 22313-1450

  
Derrick Brown

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED  
OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. § 371

INTERNATIONAL APPLICATION NO.: PCT/US2003/031992

INTERNATIONAL FILING DATE: October 8, 2003

PRIORITY DATE CLAIMED: October 8, 2002

U.S. APPLICATION NO. (If known):

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. § 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. § 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. ☐ A translation of the International Application into English (35 U.S.C. § 371(c)(2)), including:  
a title page; \_\_\_\_\_ page specification; \_\_\_\_\_ page(s) of claims (claims \_\_\_\_\_); \_\_\_\_\_ page abstract.
5. ☐ Drawings  
☐ Formal Figure(s) \_\_\_\_\_ on \_\_\_\_\_ sheet(s).
6. ☒ A copy of the International Application as filed (35 U.S.C. § 371(c)(2))  
☐ is transmitted herewith (\_\_\_\_\_ pages).  
☒ has been transmitted by the International Bureau.  
☒ A copy of Form PCT/IB/308 (1 page) is enclosed.  
☐ is not required, as the application was filed in the United States Receiving Office (RO/US).

7. ☒ A copy of the International Publication, Publication No. WO 2004/032717.
  
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
  - ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - ☐ have been transmitted by the International Bureau.
  - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - ☐ have not been made and will not be made.
  
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
  
10. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  - ☐ A copy of the Demand for International Preliminary Examination is enclosed.
  
11. ☒ An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)):
  - ☐ is enclosed (\_\_\_\_ pages).
  - ☐ a combined Declaration and Power of Attorney is enclosed (\_\_\_\_ pages).
  - ☒ is not enclosed. Applicant requests the Patent and Trademark Office to accept this application and accord a serial number and filing date as of the date this application is deposited with the U.S. Postal Service for Express Mail. Further, Applicant requests that the NOTICE OF MISSING PARTS-FILING DATE GRANTED be sent to the undersigned representative of Applicant.
  
12. ☒ Applicant hereby claims priority to:
  - ☒ International Patent Application No.: PCT/US2003/031992
  - ☒ U.S. Provisional Patent Application Serial No.: 60/416,482
  - ☒ U.S. Provisional Patent Application Serial No.: 60/421,712
  - ☒ A copy of Form PCT/IB/304 (1 page) indicating receipt of the priority document by the International Bureau is enclosed.
  
13. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).
  
14. ☒ The entire disclosure of the International Application referred to above is considered to be part of the accompanying application and is hereby incorporated by reference herein.
  
15. ☐ Assignment Papers.
  - ☐ An assignment document is enclosed for recording (\_\_\_\_ pages).
  - ☐ Form PTO-1595 Assignment Recordation Cover Sheet (\_\_\_\_ page).
  
16. ☒ A Preliminary Amendment (9 pages).
  
17. ☐ A substitute specification for pages \_\_\_\_ (\_\_\_\_ pages).
  
18. ☐ A strikethrough version of specification and abstract (\_\_\_\_ pages).
  
19. ☐ Power of Attorney
  - ☐ Is enclosed.
  - ☐ a combined Declaration and Power of Attorney is enclosed.
  
20. ☒ Information Disclosure Statement (IDS), including:
  - ☒ Form PTO-1449
  - ☒ Reference(s) marked according to Form PTO-1449.
  
21. ☒ Return Receipt Postcard

22. ☒ Small Entity Status  
☐ A small entity statement is enclosed.  
☒ Small entity status is proper and is requested.
23. ☐ Copy of International Preliminary Examination Report.
24. ☒ The following fees are submitted:

|   |                     |                     |              |                 |
|---|---------------------|---------------------|--------------|-----------------|
| <b>BASIC NATIONAL STAGE FEES</b>  |                     |                     |              |                 |
| <input checked="" type="checkbox"/> Basic national fee.....   |                     |                     |              | \$300.00        |
| <input checked="" type="checkbox"/> Examination fee   |                     |                     |              |                 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....  |                     |                     |              | \$100.00        |
| <input checked="" type="checkbox"/> All other situations.....   |                     |                     |              | \$200.00        |
| <input checked="" type="checkbox"/> Search fee  |                     |                     |              |                 |
| <input checked="" type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) paid to USPTO as an International Searching Authority.....  |                     |                     |              | \$100.00        |
| <input type="checkbox"/> International Search Report prepared and provided to the Office.....   |                     |                     |              | \$400.00        |
| <input type="checkbox"/> All other situations.....  |                     |                     |              | \$500.00        |
| <b>ENTER APPROPRIATE BASIC NATIONAL FEE AMOUNT (as selected above):</b>   |                     |                     |              | <b>\$600.00</b> |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b>  |                 |
| Total claims  | 20 - 20 =           | 0                   | x \$50.00 =  | 0.00            |
| Independent claims  | 3 - 3 =             | 0                   | x \$200.00 = | .00             |
| MULTIPLE DEPENDENT CLAIM(S)   |                     |                     | + \$360.00 = | .00             |
| <b>TOTAL OF ABOVE CALCULATIONS:</b>   |                     |                     |              | <b>\$600.00</b> |
| \$250.00 fee for every 50 sheets or fraction thereof of the specification and drawings that exceeds 100 sheets (excluding any sequence listing or computer program listing filed in an electronic medium) |                     |                     |              | .00             |
| Reduction by 50% for Small Entity. A Small Entity Statement must be filed:  |                     |                     |              | \$300.00        |
| <b>SUBTOTAL:</b>  |                     |                     |              | <b>300.00</b>   |
| <b>TOTAL NATIONAL FEE:</b>  |                     |                     |              | <b>\$300.00</b> |
| Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property:  |                     |                     |              | .00             |
| <b>TOTAL FEES ENCLOSED:</b>   |                     |                     |              | <b>\$300.00</b> |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 Months from the earliest claimed priority date:                      |                     |                     |              | .00             |
| <b>TOTAL NATIONAL FEE:</b>  |                     |                     |              | <b>\$300.00</b> |

☒ A fee authorization in the amount of \$300.00 is enclosed.

☐ Please charge my Deposit Account No. 50-1505/      in the amount of      to cover the above fees.

☒ The Commissioner is hereby authorized to charge any other fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C., Deposit Account No. 50-1505/5838-06602/EBM.

10/530938

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Address all future correspondence to:

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Signature



Name

Mark R. DeLuca

Registration No.

44,649

Date

April 8, 2005

10/530938

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown  
Confirmation No.: Unknown  
Filed: Herewith  
Inventor(s):  
Menicanti et al.

Title: DEVICES AND  
METHODS FOR MITRAL  
VALVE ANNULUS  
REFORMATION

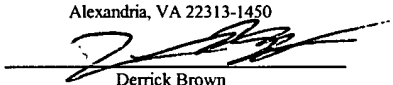
Examiner: Unknown  
Art Unit: Unknown  
Atty. Dkt. No: 5838-06602/EBM

CERTIFICATE OF EXPRESS MAIL  
UNDER 37 C.F.R. §1.10

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Commissioner for Patents  
Alexandria, VA 22313-1450

  
Derrick Brown

FEE AUTHORIZATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Commissioner is hereby authorized to charge the following fees to Meyertons, Hood, Kivlin,  
Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5838-06602/EBM.

\$300.00 – National Filing Fees

Total Amount: \$300.00

Attorney Docket No.: 5838-06602

The Commissioner is also authorized to charge any extension fee or other fees which may be necessary to the same account number.

Respectfully submitted,



Mark R. DeLuca  
Reg. No. 44,649

Patent Agent for Applicant

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